



May 21, 2002 CPC
July 16, 2002 CPC
~~September 17, 2002 CPC~~
October 15, 2002 CPC

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

02SN0169

Lawson Chenoweth

Bermuda Magisterial District
North line of Ramblewood Road

REQUEST: Rezoning from Agricultural (A) to Residential (R-15).

PROPOSED LAND USE:

A single family subdivision having a minimum lot size of 15,000 square feet and a maximum of 175 lots is planned, yielding a density of 1.7 units per acre.

RECOMMENDATION

Recommend approval subject to the applicant adequately addressing the impact of this development on capital facilities. This recommendation is made for the following reasons:

- A. The proposed zoning and land use conform to the recently adopted Consolidated Eastern Area Plan which suggests the property is appropriate for residential use of 2.0 units per acre or less.
- B. The proffered conditions do not adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for transportation, schools, parks, libraries and fire stations is identified in the County's adopted Public Facilities Plan, the Thoroughfare Plan and Capital Improvement Program and the impact of this development is discussed herein. The proffered conditions do not fully mitigate the impact on parks facilities, thereby not insuring that adequate service levels are maintained as necessary to protect the health, safety and welfare of County citizens.

(NOTE: THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER MAY PROFFER OTHER CONDITIONS.)

PROFFERED CONDITIONS

1. The applicant, subdivider, or assignee(s) shall pay the following to the county of Chesterfield at the time of building permit application for infrastructure improvements within the service district for the property:
 - A. \$6,995.00 per dwelling unit, if paid prior to July 1, 2002. At the time of payment, the \$6,995.00 will be allocated pro-rata among the facility costs as follows: \$3,565.00 for schools, \$280.00 for library facilities, \$2,838.00 for roads and \$312.00 for fire stations; or
 - B. The amount approved by the Board of Supervisors not to exceed \$6,995.00 per dwelling unit adjusted upward by any increase in the Marshall and Swift building cost index between July 1, 2001, and July 1 of the fiscal year in which the payment is made if paid after June 30, 2002.
 - C. In the event the cash payment is not used for which proffered within 15 years of receipt, the cash shall be returned in full to the payer (\$6,995.00). (B&M)
2. Within thirty (30) days of the recordation of the first subdivision plat, approximately twelve (12) acres, adjacent to the southern property line as shown on the "Exhibit A", shall be dedicated free and unrestricted, to and for the benefit of Chesterfield County. The exact boundary and acreage will be determined at the time of tentative subdivision review. (P&R)
3. Except for timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices installed. (EE)
4. The project stormwater management design shall achieve an attenuation of the ten (10) year peak storm from the developed contributing watershed to the pre-development two (2) year peak storm for that portion of the property draining generally to the north towards parcel Tax ID 814-650-7955. (EE)
5. In conjunction with recordation of the initial subdivision plat and prior to dedication of property referenced in Proffered Condition 2, a sixty (60) foot wide right-of-way for a residential collector street ("Greyledge Boulevard Extended) from the eastern property line to the western property line shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. The exact location of this right-of-way shall be approved by the Transportation Department. (T)

6. In conjunction with the recordation of the first subdivision plat and prior to dedication of property referenced in Proffered Condition 2, forty-five (45) feet of right-of-way on the north side of Ramblewood Road, measured from the centerline of that part of Ramblewood Road immediately adjacent to the property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)
7. Direct access from the property to Ramblewood Road shall be limited to one (1) public road, generally located at the western property line. The exact location of this access shall be approved by the Transportation Department. (T)
8. To provide an adequate roadway system at the time of complete development, the owner/developer shall be responsible for the following:
 - a. Construction of additional pavement along Ramblewood Road at the approved access to provide right and left turn lanes, if warranted based on Transportation Department standards;
 - b. Relocation of the ditch to provide an adequate shoulder along the north side of Ramblewood Road for the entire property frontage;
 - c. Construction of two (2) lanes of Greylodge Boulevard Extended as a residential collector street from the existing terminus of Greylodge Boulevard to the western property line;
 - d. Dedication to Chesterfield County, free and unrestricted, any additional right-of-way (or easements) required for the improvements identified above. In the event the developer is unable to acquire any off-site right-of-way that is necessary for the improvements described in Proffered Condition 8.a., the developer may request, in writing, that the County acquire such right-of-way as a public road improvement. All costs associated with the acquisition of the right-of-way shall be borne by the developer. In the event the County chooses not to assist the developer in acquisition of the "off-site" right-of-way, the developer shall be relieved of the obligation to acquire the "off-site" right-of-way and shall provide the road improvements within available right-of-way as determined by the Transportation Department. (T)
9. Prior to any construction plan approval, a phasing plan for the required road improvements, as identified in Proffered Condition 8, shall be submitted to and approved by the Transportation Department. (T)
10. Public water and waste water shall be used. (U)
11. The maximum density of this development shall not exceed 175 lots. (P)

12. Dwelling units on lots adjacent to Thornhill, Enon Oaks and Rockhaven Subdivisions shall have a minimum gross floor area of 2000 square feet. All other dwelling units shall have a minimum gross floor area of 1800 square feet. (P)
13. Development on the Property shall be phased as follows:
 - a) No more than a cumulative total of fifty (50) lots shall be recorded prior to July 1, 2003.
 - b) No more than a cumulative total of one hundred (100) lots shall be recorded prior to July 1, 2004.
 - c) No more than a cumulative total of one hundred fifty (150) lots shall be recorded prior to July 1, 2005.
 - d) No more than a cumulative total of one hundred seventy five(175) lots shall be recorded prior to July 1, 2006. (P)
14. Construction traffic for initial development on the subject property shall be prohibited on Greyledge Boulevard through the South Bend Subdivision. (P)
15. To the extent permitted by the Transportation Department and VDOT and in conjunction with the construction of Greyledge Boulevard Extended, a traffic island/circle shall be provided as generally depicted on Exhibit "A". (T)
16. The owner shall be responsible for notification, by registered, certified or first class mail, of all adjacent property owners on record with the County Assessor's Office, as well as the last known representative on file with the Chesterfield County Planning Department of the Southbend Homeowners Association, of the submission of any tentative subdivision plan. Such notification shall occur as soon as practical, but in no event less than twenty-one (21) days prior to approval or disapproval of any tentative subdivision plan. The owner shall provide the Planning Department with evidence that such notice was sent. (P)
17. A thirty (30) foot tree preservation strip, exclusive of required yards, shall be maintained along the eastern property line, north of proposed Greyledge Boulevard Extended and adjacent to Southbend and Enon Oaks Subdivisions. Utility easements shall be permitted to cross this strip in a perpendicular fashion. Any healthy trees that are eight (8) inches in caliper or greater shall be retained within this tree preservation strip except where removal is necessary to accommodate the improvements permitted by the preceding sentence. This condition shall not preclude the removal of vegetation from the tree preservation strip that is unhealthy, dying or diseased. (P)

GENERAL INFORMATION

Location:

North line of Ramblewood Road, east of Golf Course Road. Tax ID 813-648-1736 (Sheets 27 and 35).

Existing Zoning:

A

Size:

105 acres

Existing Land Use:

Single family dwelling

Adjacent Zoning and Land Use:

North - A; Single family residential or vacant

South - R-15 and A; Single family residential and CSX Railroad

East - R-12; Single family residential, public/semi-public (community recreation) or vacant

West - A; Single family residential or vacant

UTILITIES

Public Water System:

There is an existing eight (8) inch water line extending along Greyledge Boulevard in Rock Haven Subdivision which terminates adjacent to the eastern boundary of the request site. In addition, there is an existing eight (8) inch water line extending along a portion of Ramblewood Road, which terminates south of the CSX Railroad tracks, approximately 200 feet from the request site. Use of the public water system has been proffered. (Proffered Condition 10)

Public Wastewater System:

There is an existing eight (8) inch wastewater collector extending along a tributary of Johnson's Creek which terminates approximately 650 feet east of the request site, and adjacent to Rockhaven Drive in Thornhill Subdivision. In addition, there is an existing eighteen (18) inch wastewater trunk line along Johnson's Creek, approximately 900 feet

north of this site. Use of the public wastewater system has been proffered. (Proffered Condition 10)

ENVIRONMENTAL

Drainage and Erosion:

The property drains in two (2) directions. Approximately one-third (1/3) of the property drains to the north through an old pond located approximately 400 feet from the property, with the remaining portion draining to the east between Thornhill and Rockhaven Subdivisions. There are currently no off-site drainage or erosion problems for the portion draining through the subdivisions. For that portion draining to the old pond to the north, there have been concerns through the years with off-site drainage and the ability of the pond to handle any increase. Water should be retained for the portion of the property that drains north. (Proffered Condition 4)

Property to the north is heavily wooded and, as such, should not be timbered until the issuance of a land disturbance permit. This will insure that adequate erosion control measures are in place prior to any timbering. (Proffered Condition 3)

PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program. This development will have an impact on these facilities.

Fire Service:

The Public Facilities Plan indicates that emergency services calls are expected to increase forty-five (45) percent by 2015. Eight (8) new fire/rescue stations are recommended for construction by 2015 in the Plan. Based on 175 dwelling units, this request will generate approximately fifty (50) calls for fire and rescue services each year. The impact on fire service has been addressed. (Proffered Condition 1)

The property is currently served by the Enon Fire Station, Company Number 6 and Bensley-Bermuda Volunteer Rescue Squad. Construction on the new Riversbend fire station is expected to begin within the next year. The Riversbend station will eventually provide fire and emergency medical service to this property. When the property is developed, the number of hydrants and quantity of water needed for fire protection and access requirements will be evaluated during the plans review process.

Schools:

Approximately ninety-three (93) school age children will be generated by this development. The site lies in the Enon Elementary School attendance zone: capacity - 550, enrollment - 557; Chester Middle School zone: capacity - 690, enrollment - 713; and Thomas Dale High School zone: capacity - 1,650, enrollment - 1,824.

This development will have impact on area schools. Currently, Chester Middle School has five (5) trailers and Thomas Dale High School has four (4). The applicant has offered measures to assist in addressing the impact of this development on school capital facilities. (Proffered Condition 1)

Libraries:

Consistent with Board of Supervisors' policy, the impact of development on library services is assessed County-wide. Based on projected population growth, the Public Facilities Plan identifies a need for additional library space throughout the County. Taking into account the additional space provided by the new La Prade and Chester Libraries, there is still a projected need for approximately 55,000 additional square feet of library space County-wide by 2015. This development will most likely have the greatest impact on the Enon and Chester Libraries. The applicant has offered measures to assist in addressing the impact of this development on these facilities. (Proffered Condition 1)

Parks and Recreation:

The Public Facilities Plan identifies the need for four (4) new regional parks. In addition, there is currently a shortage of community park acreage in the County. The Public Facilities Plan identifies a need for 625 acres of regional park space and 116 acres of community park space by 2015. The Plan also identifies the need for neighborhood parks and special purpose parks and makes suggestions for their locations.

The applicant has proffered to dedicate approximately twelve (12) acres adjacent to the southern property line, as shown on Exhibit A (Proffered Condition 2). This area incorporates Civil War earthworks thereby meeting the needs of a special purpose park by preserving the historical significance of this site. This tract also has the potential for development as a neighborhood park to meet the needs of current and anticipated residential growth in the Enon area. While Parks and Recreation is supportive of the dedication, it should be noted that the credit value exceeds the value suggested by the County's Policy as described in the "Financial Impact on Capital Facilities" section of the "Request Analysis". However, the credit value is less than the probable selling price based on the County Assessor's estimates.

It should be noted that at the time of plans review, the Parks and Recreation Department will be seeking vehicular access from this park area to Greylodge Boulevard, as well as a

pedestrian connection between this property and a parcel to the east on which Fort Wead is located. (Tax ID 814-647-3250)

Transportation:

The applicant has proffered a maximum density of 175 lots (Proffered Condition 11). Based on single family trip rates, development could generate approximately 1,740 average daily trips. These vehicles will be distributed along Ramblewood and Enon Church Roads, which had a 2002 traffic count of 2,816 and 4,300 vehicles per day respectively. These vehicles will also be distributed, via Greyledge Boulevard, to Bermuda Orchard Lane, which had a 2002 traffic count of 3,050 vehicles per day.

The Thoroughfare Plan identifies Ramblewood Road as a major arterial with a recommended right of way width of ninety (90) feet. The applicant has proffered to dedicate forty-five (45) feet of right of way, measured from the centerline of Ramblewood Road, in accordance with that Plan. (Proffered Condition 6)

The Thoroughfare Plan also identifies an east/west collector ("Greyledge Boulevard Extended"), with a recommended right of way width of seventy (70) feet, extending from the current terminus of Greyledge Boulevard, west through the property. This roadway is intended to just serve area development as a residential collector; therefore, a sixty (60) foot wide right of way would be acceptable. The applicant has proffered to dedicate a sixty (60) foot wide right of way for Greyledge Boulevard Extended through the property, as a residential collector street (Proffered Condition 5). The applicant's Exhibit A shows a general location of Greyledge Boulevard Extended. The alignment of this residential collector should be such that it adequately facilitates development of the area, without attracting "cut-through" traffic from adjacent arterial roads. The exact location/alignment will be determined at time of tentative subdivision review.

Access to major arterials, such as Ramblewood Road, should be controlled. The applicant has proffered that direct access to Ramblewood Road will be limited to one (1) public road (Proffered Condition 7). Due to the proximity of the CSX Railroad, this access should be located at the western property line.

The Subdivision Ordinance requires that subdivision streets must conform to the Planning Commission's Stub Road Policy, which suggests that traffic volumes on those streets should not exceed an acceptable level of 1,500 vehicles per day. It may be necessary for the developer to provide a "no-lot frontage" road (i.e., residential collector) from Ramblewood Road to Greyledge Boulevard Extended. At time of tentative subdivision review, staff will evaluate the internal road network and project traffic volumes to determine if a residential collector will also be required through that part of the property.

The traffic impact of this development must be addressed. The applicant has proffered to: 1) construct left and right turn lanes along Ramblewood Road at the public road intersection, based on Transportation Department standards; 2) relocate the ditch to provide an adequate

shoulder along the north side of Ramblewood Road for the entire property frontage; and 3) construct two (2) lanes of Greylodge Boulevard Extended through the property (Proffered Condition 8). Constructing the turn lanes along Ramblewood Road may require the developer to acquire some "off-site" right of way. According to the proffer, if the developer is unable to acquire the right of way for the turn lanes along Ramblewood Road, the developer may request the County to acquire the right of way as a public road improvement. All costs associated with the acquisition will be borne by the developer. If the County chooses not to assist with the right of way acquisition, the developer will not be obligated to acquire the "off-site" right of way, and will only be obligated to construct road improvements within available right of way.

In order to address neighborhood concerns, the applicant has also proffered a condition regarding the design/construction of Greylodge Boulevard Extended. A proffered condition would require the developer to provide, to the extent permitted, a traffic island/circle with the construction of Greylodge Boulevard Extended (Proffered Condition 15). The traffic island/circle will be located towards the eastern property line, as generally shown on Exhibit A.

The Thoroughfare Plan identifies the need to improve existing roads, as well as construct new roads to accommodate growth. Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. Sections of Ramblewood Road have twenty (20) to twenty-one (21) foot wide pavement with no shoulders. The capacity of this road is acceptable for the volume of traffic it currently carries. Sections of Enon Church Road have twenty (20) to twenty-one (21) foot wide pavement with no shoulders. The current volume of traffic on Enon Church Road during peak hours exceeds the capacity of the road. Sections of Bermuda Orchard Lane have twenty-four (24) foot wide pavement with two (2) foot wide shoulders. The capacity of this road is acceptable for the volume of traffic it currently carries. The standard typical section for Ramblewood Road, Enon Church Road and Bermuda Orchard Lane should be twenty-four (24) foot wide pavement, with minimum eight (8) foot wide shoulders. The applicant has proffered to contribute cash, consistent with the Board of Supervisors' policy, towards mitigating this traffic impact. (Proffered Condition 1)

At time of tentative subdivision review, specific recommendations will be provided regarding access and the internal street network.

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	175*	1.00
Population Increase	477.75	2.73
Number of New Students		
Elementary	42.70	0.24
Middle	22.75	0.13
High	28.00	0.16
TOTAL	93.45	0.53
Net Cost for Schools	629,300	3,596
Net Cost for Parks	142,100	812
Net Cost for Libraries	49,350	282
Net Cost for Fire Stations	55,125	315
Average Net Cost for Roads	501,025	2,863
TOTAL NET COST	1,376,900	7,868

*Based on a proffered maximum number of dwelling units. (Proffered Condition 12)

As noted, this proposed development would have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, parks, libraries and fire stations at \$7,868 per unit. The applicant has been advised that a maximum proffer of \$7,800 per unit would defray the cost of the capital facilities necessitated by this proposed development.

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case.

The applicant has proffered \$6,995 in cash and approximately twelve (12) acres of land to assist in defraying the cost of this proposed request on such capital facilities. The proffered cash addresses the impact on schools, roads, libraries and fire stations. The twelve (12) acres of land is proffered to address the impact of the proposed development on the park capital facilities. (Proffered Conditions 1 and 2)

Staff has factored a credit for the land dedication into the impact analysis consistent with the County's policy. The policy establishes land valuation methods generally based on current assessed values. Additionally, under the policy, the Planning Commission and the Board of

Supervisors could choose to deviate from the policy and recognize alternative land valuation methods should it be determined that unique circumstances justify such a change. Such alternatives may include appraisals or actual costs paid for comparable properties within the area of the subject property. Use of such alternatives would result in land values higher than assessed values, and thus support a higher credit.

While staff is supportive of the land dedication as outlined in the Parks and Recreation section of the Request Analysis, the credit value reflected in the proffer exceeds the assessed valuation approach but is within the range of values for comparable property sales within the area. Because the proffered credit value exceeds the assessed value, staff concludes the proffered conditions do not fully offset the impact of the proposed development on parks capital facilities.

The Planning Commission and the Board of Supervisors, through their consideration of this request, may determine that there are unique circumstances relative to this case and that the proffered conditions adequately offset the impact of the development.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the recently adopted Consolidated Eastern Area Plan which suggests the property is appropriate for residential use of 2.0 units per acre or less. A maximum of 175 lots yielding a density of approximately 1.7 units per acre has been proffered. (Proffered Condition 11)

Area Development Trends:

Property to the east is zoned Residential (R-12) and has been developed as Enon Oaks, Thornhill and Rockhaven Subdivisions, the later two (2) of which are part of the Southbend development. Property to the southwest is zoned Residential (R-15) and has been developed as the Walthall Mill Subdivision. Properties to the north, southeast and west are zoned Agricultural and are either occupied by single family residences or remain vacant. It is anticipated that residential zoning and land use patterns will continue in the area consistent with densities suggested by the Plan.

Density:

A maximum of 175 lots on the property, yielding a density of approximately 1.7 units per acre has been proffered. (Proffered Condition 11)

Dwelling Size:

To address concerns of area property owners and the Bermuda District Planning Commissioner, proffered conditions address minimum house size. (Proffered Condition 12)

Phasing:

In response to concerns expressed by area residents with respect to the impact of this development on the area road systems, the applicant has proffered to phase the recordation of lots over approximately a four (4) year period. (Proffered Condition 13)

Construction Traffic:

Proffered Condition 14 prohibits construction traffic for initial development on the subject property from using Greyledge Boulevard through the Southbend Subdivision. This proffered condition is difficult, if not impossible, for staff to enforce. Staff recommends that this proffered condition not be accepted.

Notification:

In response to area residents' concerns, proffered conditions require the developer to notify the property owners adjacent to the subject property of the submission of tentative subdivision plans. (Proffered Condition 16)

Tree Preservation Strip:

In an attempt to address concerns of adjacent property owners in the Southbend and Enon Oaks Subdivisions relative to a vegetated separation between their lots and the dwellings within the proposed development, the applicant has submitted Proffered Condition 17. This proffered condition requires a tree preservation strip along the eastern property line, north of proposed Greyledge Boulevard Extended and adjacent to the Southbend and Enon Oaks Subdivisions. This tree preservation strip will be included within the limits of proposed lots. It has been staff's experience that individual homeowners tend to clear these areas resulting in a zoning violation on that individual lot. Given that, retention of trees within this strip will be difficult, if not impossible, for the County to enforce, staff recommends that Proffered Condition 17 not be accepted.

CONCLUSIONS

While the proposed zoning and land use conform to the recently adopted Consolidated Eastern Area Plan which suggests the property is appropriate for residential use of 2.0 units per acre or less and is representative of existing and anticipated area development, the proffered conditions do not adequately address the impacts of this development on parks facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for transportation, schools, parks, libraries and fire stations is identified in the County's adopted Public Facilities Plan, the Thoroughfare Plan and Capital Improvement Program and the impact of this development is discussed herein. The proffered conditions do not fully mitigate the impact on parks facilities, thereby not insuring adequate service levels are maintained as necessary to protect the health, safety and welfare of County citizens.

Given these considerations, approval of the request is recommended subject to the applicant fully addressing impacts on capital facilities.

CASE HISTORY

Planning Commission Meeting (5/21/02):

The applicant did not accept staff's recommendation. There was opposition present. Concerns were expressed relative to addressing impacts on capital facilities; the need for parkland dedication; lack of school capacity; density based upon gross as opposed to net acreage; density based upon the existing, versus the proposed Plan; the extension of Greyledge Boulevard; traffic on Ramblewood Road; environmental impacts upon existing pond to north; and proposed gross floor area for dwellings.

Mr. Cunningham indicated that, as a result of numerous community meetings, the applicant had attempted to address the majority of the issues; that the parkland dedication is consistent with the Board's policy; that the Parks and Recreation Department supports the dedication; that the condition of secondary roads is not unique to this area; that the Fire Department has indicated fire/safety access on these roads is not an issue; and that, long term, this development will benefit the transportation network in the area.

Mr. Cunningham made a motion to approve the request and accept the proffered conditions on pages 2 through 5. There was no second to the motion; therefore the motion died. The public hearing was closed and the request carried over to the Commission's July 16, 2002, public hearing.

Staff (5/22/02):

The applicant was advised in writing that any significant new or revised information should be submitted no later than May 28, 2002, for consideration at the Commission's July 16, 2002, meeting.

Applicant (6/26/02):

At the request of the Transportation Department, the applicant submitted amended proffered conditions and a revised "Exhibit A" relating to transportation impacts. To address area residents' concerns, an additional proffer was submitted relating to notification of adjoining property owners of tentative subdivision plan submittal. (Proffered Condition 16)

Applicant (7/3/02):

Revised proffered conditions were submitted relative to the provision of a tree preservation strip. (Proffered Condition 17)

Planning Commission Meeting (7/16/02):

At the request of the applicant, the Commission deferred this case to September 17, 2002.

Staff (7/17/02):

The applicant was advised in writing that any significant new or revised information should be submitted no later than July 22, 2002, for consideration at the Commission's September public hearing. Also, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (7/29/02):

The deferral fee was paid.

Staff (8/15/02):

To date, no new information has been submitted.

Planning Commission Meeting (9/17/02):

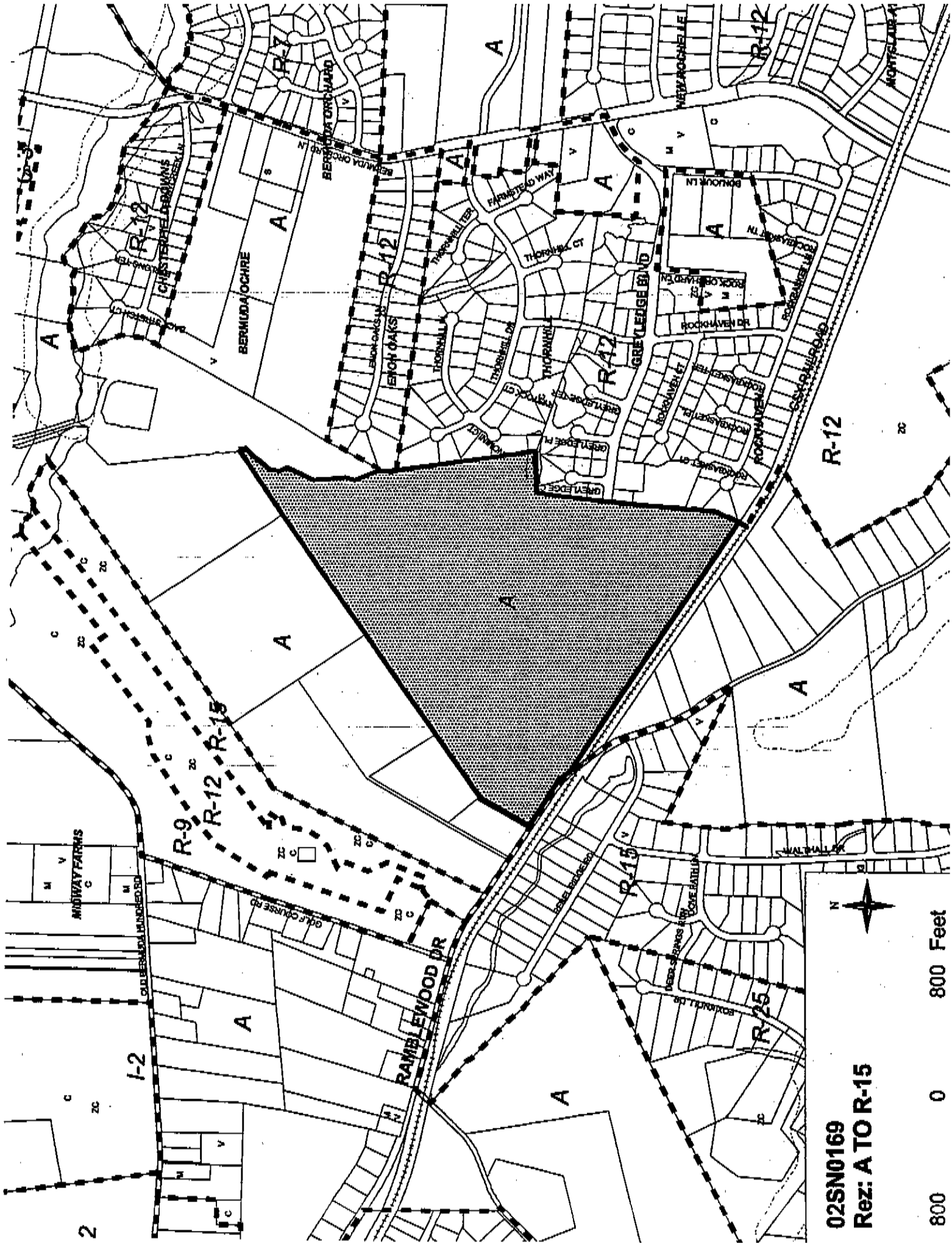
On their own motion, the Commission deferred this case to October 15, 2002, pending Board action on the Consolidated Eastern Area Plan.

Staff (9/18/02):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than September 23, 2002, for consideration at the Commission's October public hearing.

Staff (9/27/02):

To date, no new information has been submitted.



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